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8 Attorney for GREEN TREE LOAN SERVICING LLC

9  
10 **UNITED STATES DISTRICT COURT**  
11 **WESTERN DISTRICT OF WASHINGTON (TACOMA)**

12 JAMES A. BIGELOW

13 Case No. 3:14-cv-05798 BHS

14 Plaintiff,

15 **SUMMONS**

16 vs.

17 NORTHWEST TRUSTEE SERVICES, INC.;  
18 GREEN TREE SERVICING, LLC; MORTGAGE  
19 ELECTRONIC REGISTRATION SYSTEMS,  
20 INC.; and DOE DEFENDANTS 1-20,

21 Defendants.

22 GREEN TREE SERVICING, LLC,

23 Counter-Plaintiff,

24 vs.

25 JAMES A. BIGELOW and CAROLYN  
26 BIGELOW, husband and wife; WELLS FARGO  
27 BANK, N.A.; OAK RIDGE YELM  
28 HOMEOWNERS ASSOCIATION, a non-profit  
corporation; and ALL PERSONS OR PARTIES  
UNKNOWN CLAIMING ANY RIGHT, TITLE,  
ESTATE, LIEN, OR INTEREST IN THE  
PROPERTY DESCRIBED IN THE COMPLAINT  
HEREIN,

29 Counter-Defendants.

30 **SUMMONS**

31 1

1 TO: ALL DEFENDANTS AND PARTIES IN INTEREST:

2 A counterclaim has been started against you in the above-entitled Court by Counter-  
3 Plaintiff, Green Tree Servicing LLC. Counter-Plaintiff's claims are stated in the written  
4 Counterclaim, a copy of which is served upon you with this Summons.

5 In order to defend against this lawsuit, you must respond to the Complaint by stating  
6 your defenses in writing, and serve a copy upon the undersigned attorney for the Counter-  
7 Plaintiff within twenty (20) days after service of this Summons, excluding the day of service, if  
8 served in the State of Washington, and within sixty (60) days after the service of this Summons,  
9 excluding the day of service, if served personally upon you out of the State of Washington, or a  
10 Default Judgment may be entered against you without notice. A Default Judgment is one where  
11 Counter-Plaintiff is entitled to what it asks for because you have not responded. If you serve a  
12 Notice of Appearance on the undersigned attorney, you are entitled to notice before a Default  
13 Judgment may be entered.

14 You may demand that Counter-Plaintiff file this lawsuit with the Court. If you do so,  
15 the demand must be in writing and must be served upon Counter-Plaintiff. Within fourteen (14)  
16 days after you serve the demand, Counter-Plaintiff must file this lawsuit with the Court, or  
17 service on you of this Summons and Complaint will be void.

18 If you wish to seek the advice of an attorney in this matter, you should so do promptly  
19 so that your written response, if any, may be served on time.

20 This Summons is issued pursuant to Rule 4 of the Federal Rules of Civil Procedure.

21 Dated: December 18, 2014

22 **WRIGHT, FINLAY, & ZAK, LLP**

23 By:



24 \_\_\_\_\_  
25 Renee M. Parker, WSBA # 36995  
26 Attorneys for Counter-Plaintiff,  
27 GREEN TREE SERVICING LLC

## NOTICE

State and federal law provide protections to defendants who are on active duty in the military service, and to their dependents. Dependents of a service member are the service member's spouse, the service member's minor child, or an individual for whom the service member provided more than one-half of the individual's support for one-hundred-eighty days immediately preceding an application for relief.

One protection provided is the protection against the entry of default judgment in certain circumstances. This notice only pertains to a defendant who is a dependent of a member of the National Guard or military reserve component under a call to active service for a period of more than thirty consecutive days. Other defendants in military service also have protections against default judgments not covered by this notice. If you are the dependent of a member of the National Guard or a military reserve component under a call to active service for a period of more than thirty consecutive days, you should notify plaintiff or the plaintiff's attorneys in writing of your status as such within twenty (20) days of the receipt of this Notice. If you fail to do so, then a court or administrative tribunal may presume that you are not a dependent of an active duty member of the National Guard or Reserves, and proceed with the entry of an order of default and/or default judgment without further proof of your status. Your response to the Plaintiff or Plaintiff's attorneys about your status does not constitute an appearance for jurisdictional purposes in any pending litigation nor a waiver of your rights.

If you are claiming to be a service member on active duty or a dependent of a service member on active duty, please provide Plaintiff or Plaintiff's attorneys with written documentation of your claim, including but not limited to, a copy of the service member's deployment documents or military orders.

1 PURSUANT TO FEDERAL LAW, YOU ARE NOTIFIED THAT UNLESS YOU  
2 DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF WITHIN  
3 THIRTY (30) DAYS AFTER THE RECEIPT OF THIS DOCUMENT, THIS OFFICE  
4 WILL ASSUME THIS DEBT IS VALID. IF YOU NOTIFY THIS OFFICE THAT THE  
5 DEBT, OR ANY PORTION THEREOF, IS DISPUTED, VERIFICATION OF THE  
6 DEBT WILL BE OBTAINED AND WILL BE MAILED TO YOU. UPON YOUR  
7 WRITTEN REQUEST WITHIN THIRTY (30) DAYS, THE NAME AND ADDRESS OF  
8 THE ORIGINAL CREDITOR WILL BE PROVIDED TO YOU IF IT IS DIFFERENT  
9 FROM THE CURRENT CREDITOR.

10 WE ARE A DEBT COLLECTOR. THIS COMMUNICATION IS AN ATTEMPT  
11 TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED  
12 FOR THAT PURPOSE.

## **DECLARATION OF SERVICE**

The undersigned declares as follows:

On January 8, 2015, I served the foregoing document: **SUMMONS** on interested parties in this action by electronic service as follows:

**PLAINTIFF:**

James A Bigelow  
[sistermoonproductions@gmail.com](mailto:sistermoonproductions@gmail.com)

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 8<sup>th</sup> day of January, 2015



Steven E. Bennett